

**COMMONWEALTH OF VIRGINIA
§ 111(d) PLAN
FOR THE DESIGNATED FACILITY -
COAL-FIRED ELECTRIC STEAM GENERATING UNITS
FOR THE DESIGNATED POLLUTANT - MERCURY**

EPA's requirements and Virginia's plan are summarized in the following table; further detail is provided in the text below.

EPA REQUIREMENT	VIRGINIA PLAN
Demonstration of the state's legal authority to carry out the plan.	Air Pollution Control Law of Virginia and Attorney General certification. Specific legal authority (Attachment A).
Emission standards for affected facilities.	Part VI of 9 VAC 5 Chapter 140, 9 VAC 5-140-5010 et seq. (Attachment B).
Compliance schedule.	9 VAC 5-40-5060 C and 9 VAC 5-140-5540 (Attachment B).
Monitoring, recordkeeping, and reporting requirements ("source surveillance").	Article 8 of Part VI of 9 VAC 5 Chapter 140 (9 VAC 5-140-5700 et seq.) (Attachment B).
Inventory of affected sources.	Attachment C.
Inventory of emissions from affected sources.	Attachment C.
Identification of enforceable mechanisms selected by the state to implement the emission guidelines.	9 VAC 5 Chapters 10, 20, 40, 140, and 170.

PLAN PROVISIONS

A. Legal Authority

As required by 40 CFR 60.26(a), the State Air Pollution Control Board has the legal authority to implement the § 111(d) plan for mercury.

The basic legal authority for the State Air Pollution Control Board to carry out its responsibilities is provided in the Air Pollution Control Law of Virginia (Title 10.1, Chapter 13, of the Code of Virginia). The Attorney General's Office has certified that the board has the legal authority to carry out the requirements of 40 CFR 60.26(a). These documents were submitted to EPA as part of the § 111(d) Plan submittal of August 11, 2003.

In addition, there is specific legal authority for the legislation that the board adopt regulations for the control of mercury emissions, Chapters 867 and 920, 2006 Acts of Assembly. These acts create a new Article 3 (air emissions control) in the Air Pollution Control Law of Virginia. Section 10.1-1328 C of the legislation requires that the board adopt a "state model rule" or "state trading rule" that will allow the state to implement the EPA Clean Air Mercury Rule (CAMR) and facilitate the trading of mercury allowances

within the United States. A copy of the legislation is included as Attachment A.

B. Emission Standards

As required by 60.24(c), the plan includes emission standards that will be used to implement and enforce the plan. These standards are no less stringent than those found in subpart HHHH of 40 CFR Part 60, and are located in Part VI of 9 VAC 5 Chapter 140, 9 VAC 5-140-5010 et seq. (see Attachment B).

As required by 40 CFR 60.24(b)2, the plan also contains monitoring, recordkeeping, and reporting requirements that will be used to monitor source compliance. These requirements, which are specific to coal-fired electric steam generating units, are identical to those found in 40 CFR 60.5700 through 5760, and are located in 9 VAC 5-140-5060 B and E as well as Article 8 of Part VI of 9 VAC 5 Chapter 140 (9 VAC 5-140-5700 et seq.) (see Attachment B).

C. Compliance Schedule

As required by 40 CFR 60.21, the plan contains a schedule for compliance. The compliance schedule found in 9 VAC 5-40-5060 C and 9 VAC 5-140-5540 meets the requirements of 40 CFR 60.4106 and 40 CFR 4154 (see Attachment B).

D. Source Surveillance, Compliance, and Enforcement

As required by 40 CFR 60.25b, the plan contains provisions for source surveillance, compliance assurance, and enforcement activities. General state requirements covering testing, monitoring, recordkeeping, and reporting are found in Part I of 9 VAC 5 Chapter 40 and in Part V of 9 VAC 5 Chapter 170, which were submitted to EPA with the § 111(d) Plan submittal of August 11, 2003.

As discussed in subsection B above, state plan requirements for monitoring, recordkeeping, and reporting specific to the mercury program are found in Article 8 of Part VI of 9 VAC 5 Chapter 140 (9 VAC 5-140-5700 et seq.) (see Attachment B), and are based on those found in 40 CFR 60.4170 through 4176.

Provisions to require emissions data on a periodic basis are found in 9 VAC 5-20-106. Provisions concerning the availability of information are found in 9 VAC 5-170-60. These provisions were submitted to EPA as part of the § 111(d) Plan submittal of August 11, 2003.

E. Source and Emissions Inventory

As required by 40 CFR 60.25(a), the plan includes a complete source inventory of existing coal-fired electric steam generating units in the state that are regulated by the requirements of subpart HHHH of 40 CFR Part 60. The source inventory is included in Attachment C, and contains the allocations specified by 40 CFR 60.4140 through 4142 and codified in Article 5 of Part VI of 9 VAC 5 Chapter 140.

As required by 40 CFR 60.25(a), emissions data for the designated pollutant has been collected for all affected sources. This emissions data is included in Attachment C.

F. Enforceable State Mechanisms

The primary enforceable state mechanism adopted by the board for implementing the emission guidelines is the Hg Budget Trading Program For Coal Fired Electric Steam Generating Units, Part VI of the Regulation for Emissions Trading Programs. Additional enforceable state mechanisms adopted by the board for implementing the emission guidelines are also set forth in the Regulations for the Control and Abatement of Air Pollution and in the Regulation for General Administration. A list of the specific provisions of these regulations that apply to the plan as well as a copy of the regulations was submitted to EPA with the § 111(d) Plan submittal of August 11, 2003.

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